

# HOUSE . . . . . No. 184

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By Mr. Walsh of Boston, petition of Martin J. Walsh and Brian P. Wallace relative to death, disability or medical claims for certain safety and medical service personnel. Public Service.

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## The Commonwealth of Massachusetts

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In the Year Two Thousand and Five.

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AN ACT RELATIVE TO CONTAGIOUS DISEASES.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 Notwithstanding the provisions of any general or special law to  
2 the contrary, and for the purposes of any death, disability or med-  
3 ical services claims under Chapter 32, Chapter 41, and  
4 Chapter 152, of the General Laws, any contagious disease,  
5 resulting in disability or death to a full-time uniformed member of  
6 a paid police department, fire department or municipal emergency  
7 medical service shall, if he or she successfully passed a physical  
8 examination on entry into such service or subsequent to such  
9 entry, which exam failed to reveal any evidence of such condition,  
10 be presumed to have been suffered in the line of duty, unless it is  
11 shown by a preponderance of the evidence that non-service con-  
12 nected risk factors or non-service connected accidents or hazards  
13 undergone, or any combination thereof, caused such incapacity.

14 (2) The provisions of this section shall apply to any person oth-  
15 erwise eligible for five years subsequent to retirement.

16 (3) The provisions of this section shall also apply to any condi-  
17 tion of Hepatitis A, B or C, Tuberculosis, HIV, and any other con-  
18 tagious disease which is found by regulation by the commissioner  
19 of the department of public health to have a statistically signifi-  
20 cant correlation with police, fire or emergency medical services.